

03-02-159

HDP/SB/21 based on PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/773,349	
	<b>Filing Date</b>	February 6, 2004	
	<b>First Named Inventor</b>	Curt D. Gilmore et al	
	<b>Group Art Unit</b>		
	<b>Examiner Name</b>		
<b>Total Number of Pages in This Submission</b>	9	<b>Attorney Docket Number</b>	9895-000001

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b>		<b>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</b>

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	Harness, Dickey & Pierce, P.L.C.	<b>Attorney Name</b>	Joseph R. Papp	<b>Reg. No.</b>	20115
<b>Signature</b>					
<b>Date</b>	February 27, 2004				

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.			
<b>Typed or printed name</b>	Joseph R. Papp	<b>Express Mail Label No.</b>	EV 406 074 617 US (2/27/2004)
<b>Signature</b>		<b>Date</b>	February 27, 2004

EV 406 074 617 US



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/773349  
Filing Date: February 6, 2004  
Applicant: Curt D. Gilmore, et al  
Group Art Unit: Unknown  
Examiner: Unknown  
Title: Error Proofing System For Portable Tools  
Attorney Docket: 9895-000001

---

Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Submitted herewith for possible consideration by the Examiner in connection with the above identified patent application is an Information Disclosure Statement. This disclosure statement is being filed pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, as a means of complying with the duty of disclosure set forth in 35 CFR 1.56, and does not constitute a representation that the information submitted constitutes prior art.

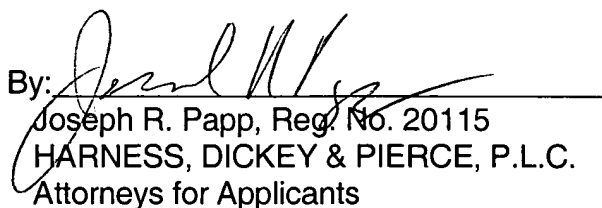
It is submitted that a review of all of the noted information shows that applicants' invention as defined by the claims is patentably distinguishable. The Examiner's careful, independent review of the cited references is invited as well as any inquiries or comments regarding the same.

Because the present application was filed after June 30, 2003, no copies of the U.S. patents which are listed on the attached Form 1449 are enclosed pursuant to

the waiver of 37 C.F.R. § 1.98(a)(2)(i).

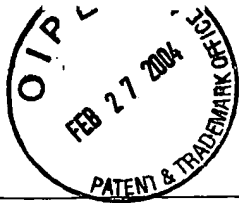
In view of the fact that a first Office Action has not been received and apparently not yet issued (37 C.F.R. 1.97(b)(3)), no fee is believed due. However, in the event a late fee is deemed necessary then payment of same can be made pursuant to the authorization enclosed.

Respectfully submitted,

By:   
Joseph R. Papp, Reg. No. 20115  
HARNESS, DICKEY & PIERCE, P.L.C.  
Attorneys for Applicants

Dated: February 27, 2004

P.O. Box 828  
Bloomfield Hills, Mi. 48303  
9895-000001



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 5

ATTORNEY DOCKET NO.

9895-000001

SERIAL NO.

10/773349

APPLICANT

Curt D. Gilmore

FILING DATE

February 6, 2004

GROUP

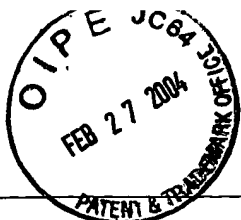
**U.S. PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		2003/0037423A1	2/27/2003	Siegel		8/24/2001
2.		2003/0101578A1	6/5/2003	Moriya et al		12/25/2000
3.		2002/0029452A1	3/14/2002	Cappa et al		8/31/2001
4.		2002/0144832A1	10/10/2002	Brandstrom et al		11/29/2001
5.		3,792,632	2/19/74	Pinkerton		
6.		3,963,364	6/15/76	Lemelson		
7.		3,967,356	7/6/76	Holt		
8.		3,990,805	11/9/76	Ducrohet		
9.		4,051,351	9/27/77	Mallick Jr. et al		
10.		4,056,329	11/1/77	Perry		
11.		4,090,802	5/23/78	Bilz		
12.		4,425,061	1/10/84	Kindl et al		
13.		4,520,446	5/28/85	Sato		
14.		4,604,559	8/5/86	Hawkes et al		
15.		4,615,093	10/7/86	Tews et al		
16.		4,636,961	1/13/87	Bauer		
17.		4,720,907	1/26/88	Rapp		
18.		4,742,470	5/3/88	Juengel		
19.		4,778,317	10/18/88	Earle, III, et al		
20.		4,787,136	11/29/88	Majic		
21.		4,829,650	5/16/89	Galard		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 2 of 5

ATTORNEY DOCKET NO.	SERIAL No.
9895-000001	10/773349
APPLICANT	
Curt D. Gilmore	
FILING DATE	GROUP
February 6, 2004	

**U.S. PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4,893,025	1/9/90	Lee		
23.		4,965,513	10/23/90	Haynes et al		
24.		5,012,402	4/30/91	Akiyama		
25.		5,062,747	11/5/91	Chen		
26.		5,086,590	2/11/92	Athanassiou		
27.		5,103,146	4/7/92	Hoffman		
28.		5,124,622	6/23/92	Kawamura et al		
29.		5,125,151	6/30/92	Smart		
30.		5,150,529	9/29/92	Collingwood		
31.		5,150,624	9/29/92	Kaczmarek et al		
32.		5,243,533	9/7/93	Takagi et al		
33.		5,257,199	10/26/93	Tsujino et al		
34.		5,349,735	9/27/94	Kawase et al		
35.		5,484,026	1/16/96	Susaki et al		
36.		5,675,887	10/14/97	Gajewski et al		
37.		5,675,889	10/14/97	Acocella et al		
38.		5,719,559	2/17/98	Talbott et al		
39.		5,850,184	12/15/98	Bailey et al		
40.		5,874,902	2/23/99	Heinrich et al		
41.		5,911,456	6/15/99	Tsubouchi et al		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p>FORM HDP-1449 (Based on Form PTO-1449)</p> <p><b>PATENT AND TRADEMARK OFFICE</b></p> <p><b>INFORMATION DISCLOSURE CITATION</b></p> <p>(Use several sheets if necessary)</p> <p>Sheet 3 of 5</p>	ATTORNEY DOCKET NO.	SERIAL NO.
	9895-000001	10/773349
	APPLICANT	
	Curt D. Gilmore	
	FILING DATE	GROUP
	February 6, 2004	

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		6,054,831	4/25/2000	Moore et al		
43.		6,058,598	5/9/2000	Dixon et al		
44.		6,122,398	9/19/2000	Yokomae (nee Takano) et al		
45.		6,151,266	11/21/2000	Henkels et al		
46.		6,211,787	4/3/2001	Yoshiike et al		
47.		6,226,576	5/1/2001	Torno et al		
48.		6,240,613	6/5/2001	O'Connor et al		
49.		6,275,316	8/14/2001	Tischer et al		
50.		6,310,587	10/30/2001	Villino et al		
51.		6,344,817	2/5/2002	Verzulli		
52.		6,369,472	4/9/2002	Grimm et al		
53.		6,375,395	4/23/2002	Heintzeman		
54.		6,384,560	5/2/2002	Kakino et al		
55.		6,411,199	6/25/02	Geiszler et al		
56.		6,415,875	7/9/2002	Meixner et al		
57.		6,417,780	7/9/2002	Naruke et al		
58.		6,452,496	9/17/2002	Van Horn et al		
59.		6,480,108	11/12/2002	McDonald		
60.		6,516,234	2/2/2002	Kamiguchi et al		
61.		6,527,280	3/4/2003	Frauhammer et al		

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p>FORM HDP-1449 (Based on Form PTO-1449)</p> <p><b>PATENT AND TRADEMARK OFFICE</b></p> <p><b>INFORMATION DISCLOSURE CITATION</b></p> <p>(Use several sheets if necessary)</p> <p>Sheet 4 of 5</p>	ATTORNEY DOCKET NO.	SERIAL No.
	9895-000001	10/773349
	APPLICANT	
	Curt D. Gilmore	
	FILING DATE	GROUP
	February 6, 2004	

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
62.		6,534,942	3/18/2003	Schmidhuber		
63.		6,536,100	3/25/2003	Sarh et al		
64.		6,536,780	3/25/2003	Baumann et al		
65.		6,539,603	4/1/2003	Bulow		
66.		6,543,121	4/8/2003	Speller, Jr. et al		
67.		6,587,184	7/1/2003	Wursch et al		
68.		6,622,762	9/23/2003	Bergner et al		
69.		6,628,993	9/30/2003	Bauer		
70.		6,629,247	9/30/2003	Hall et al		
71.		6,655,186	12/2/2003	Pfleghar		
72.		6,662,882	12/16/2003	Hansson		
73.		6,666,283	12/23/2003	Frauhammer et al		

FOREIGN PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No
1.						

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p>FORM HDP-1449 (Based on Form PTO-1449)</p> <p><b>PATENT AND TRADEMARK OFFICE</b></p> <p><b>INFORMATION DISCLOSURE CITATION</b></p> <p>(Use several sheets if necessary)</p> <p>Sheet 5 of 5</p>	ATTORNEY DOCKET NO.	SERIAL No.
	9895-000001	10/773349
	APPLICANT	
	Curt D. Gilmore	
	FILING DATE	GROUP
	February 6, 2004	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		Associated Press Article July 13, 2003 "Wal-Mart may use tiny anti-theft radios".

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.